

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN VALDA RICE,

Defendant.

CASE NO. CR07-008C

ORDER

This matter comes before the Court on the joint motion of the United States of America and Defendant John Valda Rice to continue the trial date (Dkt. No. 12).

The current pretrial motions cut-off date was March 15, 2007, and the current trial date is April 16, 2007. Defendant Rice has joined in the requested continuance, and the Government agrees that a continuance is necessary to allow Defendant to complete discovery and prepare for trial. Accordingly, Defendant Rice has waived speedy trial rights through May 18, 2007 (Dkt. No. 13).

Given the complex nature of this case, the Court finds that a denial of the requested extensions would unreasonably deny Defendant adequate preparation by his attorneys and would deny counsel reasonable time to prepare. Due to these factors, exclusion of additional time under 18 U.S.C. § 3161(h)(8)(B)(iv) is appropriate.

1 The proposed continuance of the trial does not appear to prejudice any party. The Court finds  
2 that failure to grant the requested continuance likely would result in a miscarriage of justice. The Court  
3 further finds that the interests of the public and the Defendant in a speedy trial are outweighed by the  
4 ends of justices, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

5 Accordingly, IT IS HEREBY ORDERED that the pre-trial motions cut-off date shall be extended  
6 until April 9, 2007, with a new trial date of May 7, 2007. Voir dire, Trial Briefs, and Jury Instructions  
7 shall be due by May 3, 2007. The time between April 16, 2007 and the new trial date shall be excludable  
8 time under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

9 SO ORDERED this 4th day of April, 2007.

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13 John C. Coughenour  
14 United States District Judge  
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